

FILED

APR 11 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 10-90166

ORDER

KOZINSKI, Chief Judge:

Complainant alleges that unnamed judges retaliated against him for filing a judicial misconduct complaint and helping a criminal defendant with his case.

Complainant provides no evidence that the subject judge engaged in misconduct.

The charges are therefore dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant's allegations against counsel and a prison warden are dismissed because the misconduct complaint procedure applies only to federal judges. See Judicial-Conduct Rule 4.

DISMISSED.